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October 21, 2019

**VIA ECF ELECTRONIC FILING**

Hon. John G. Koeltl, U.S.D.J.  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Courtroom 14A  
New York, New York 10007

Re: Building Service 32BJ Health Fund, et al. v. Certified Building Services Inc.,  
Civil Action No. 19-cv-6173

Dear Judge Koeltl:

Our firm is counsel for the Building Service 32BJ Benefit Funds, the Plaintiffs in this matter. The Funds previously requested that the Defendant's deadline to answer or otherwise respond to the Complaint be extended thirty days, to October 16, 2019. The court granted that request and set a conference for this case for tomorrow October 22, 2019. The Defendant has not filed an answer to the complaint.

I spoke this morning with the Defendant's attorney Matthew W. Fogelman, Esq. Matthew requested that Plaintiffs agree to another thirty day extension of the deadline on the date by which the Defendant must file an answer to the complaint. Matthew advised he was not aware of the October 16, 2019 deadline to file the answer. My clients have no objection to giving the Defendant one final extension on the time to Answer the complaint, to the new date of November 21, 2019. This would be the Defendant and Plaintiffs' third request for an adjournment of the date to file an answer.

In the case filed by Plaintiffs, we allege that the Defendant has not cooperated with the Plaintiffs, in their attempts to conduct a payroll compliance audit of the Defendant's books and

records, as required by the Plaintiffs' trust agreements. The Plaintiffs' Audit seeks to confirm that the Defendant is making the proper benefit fund contributions to the Plaintiffs.

This case centers around a payroll compliance audit of Defendant Certified Building Services, Inc. ("Defendant") commenced by the Funds' Auditing Firm. Since the filing of this Complaint, the parties have engaged in settlement discussions. Thy discussion focused on which business documents are needed by the Audit Firm.

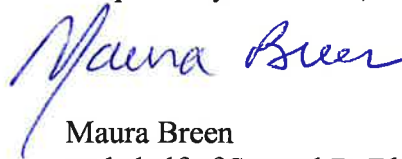
As of now, the parties are optimistic that they will be able to informally resolve their disputes. Do to this the parties request a final thirty day extension, which would allow the Defendant to file an Answer to the complaint by November 21, 2019.

The parties apologize to the court for this late request. The attorney for the Plaintiffs who was handling this case, Samuel Bloom, Esq. is out of the country on vacation. I work with Sam and only today found out about the conference set for tomorrow.

Please advise if the court will grant the parties' request of extension of time by which the Defendant must file an Answer the complaint and if the court will also adjourn the conference date to a date after November 21, 2019.

Thank you for your attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Respectfully submitted,



Maura Breen  
on behalf of Samuel R. Bloom

cc: Matthew W. Fogleman, Esq. (via electronic mail)